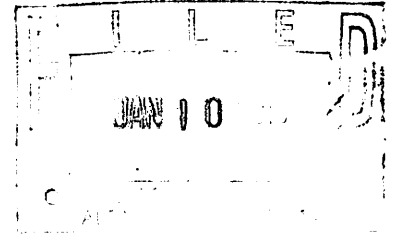


IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

Criminal No. 1:18-MJ-11

Edgar ROLANDO TOJIN

a/k/a "Edgar Orlando TOJIN NIMAJUAN"

a/k/a "Edgar TOJIN",

Defendant.

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

**AND ARREST WARRANT**

I, Bradley Mednick, being duly sworn, state the following:

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement ("ICE") in Lorton, Virginia. I have been employed with ICE since September 2015. During my time working for ICE, I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code. My duties as a deportation officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code and seeking, when applicable, prosecution and removal of violators.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant for Edgar ROLANDO TOJIN ("ROLANDO TOJIN"), who was found in the United States, after being denied admission, excluded, deported, or removed, and having departed the United States

while an order of exclusion, deportation, or removal was outstanding, in violation of Title 8, United States Code, Section 1326(a).

3. The facts and information contained in this affidavit are based upon my training and experience, participation in immigration investigations, personal knowledge, and observations during the course of this investigation, as well as the observations of other agents involved in this investigation. This affidavit contains information necessary to support probable cause and is not intended to include each and every fact and matter observed by me or known to the government.

#### **PROBABLE CAUSE**

4. On or about November 20, 2017, ICE received information from the Arlington County Jail, ("ACJ"), located in Arlington, Virginia, within the Eastern District of Virginia, that ROLANDO TOJIN, an alien, was detained at ACJ. ICE performed records checks which confirmed that ROLANDO TOJIN is a Guatemalan national who was removed from the United States to Guatemala on or about April 30, 2012, from San Antonio, Texas. ROLANDO TOJIN was found at or near Uvalde, Texas, on March 28, 2012, and ordered removed from the United States on March 29, 2012.

5. On or about November 19, 2017, ROLANDO TOJIN was fingerprinted at ACJ. An electronic copy of ROLANDO TOJIN's fingerprints were then processed through ICE indices containing fingerprint records of known and previously deported aliens. Results of this query showed positive matches to ROLANDO TOJIN, and known aliases, associated with both his Federal Bureau of Investigation ("FBI")/Universal Control Number ("UCN"), and his Alien Registration Number.

6. On or about November 20, 2017, ACJ notified ICE of ROLANDO TOJIN's arrest for felony malicious wounding by mob. On November 20, 2017, an ICE detainer was placed on ROLANDO TOJIN.

7. I reviewed ROLANDO TOJIN's, alien file, which includes a fully executed ICE Form I-296 (Notice to Alien Ordered Removed/Departure Verification) bearing ROLANDO TOJIN's photograph and signature.

8. On December 19, 2017, ROLANDO TOJIN's fingerprints from a prior Form FD-249 and Form I-296, dated March 29, 2012, were submitted to the FBI Special Processing Center. On December 19, 2017, the FBI confirmed all submitted exhibits were identical matches and a positive match to ROLANDO TOJIN's FBI/UCN number.

9. ROLANDO TOJIN's alien file lacks evidence of any immigration benefit, document, or status that would allow him to enter, be admitted, pass through, or reside in the United States legally. Furthermore, ROLANDO TOJIN has not obtained permission from the Attorney General or the Secretary of Homeland Security to reenter the United States following his formal removal.

10. Based on the foregoing, I submit there is probable cause to believe that on or about November 20, 2017 in Arlington, Virginia, within the Eastern District of Virginia, ROLANDO TOJIN, an alien who was removed from the United States to Guatemala on or about April 30, 2012, from San Antonio, Texas, was found in the United States without having obtained the express consent of the Attorney General or the Secretary of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a).

Bradley Mednick

Bradley Mednick  
Deportation Officer  
United States Immigration and Customs  
Enforcement

Subscribed and sworn to before me

This 10<sup>th</sup> day of January, 2018.

\_\_\_\_\_/s/ JWA  
John F. Anderson  
~~United States Magistrate Judge~~  
The Honorable John F. Anderson  
United States Magistrate Judge